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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,344	03/04/2002	Christopher P. Bertellotti	NOR-1048	3862
37172	7590	07/26/2004		
WOOD, HERRON & EVANS, LLP (NORDSON) 2700 CAREW TOWER 441 VINE STREET CINCINNATI, OH 45202				
			EXAMINER KOCH, GEORGE R	
			ART UNIT 1734	PAPER NUMBER

DATE MAILED: 07/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/090,344	Applicant(s) BERTELLOTTI, CHRISTOPHER P	
	Examiner George R. Koch III	Art Unit 1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 23 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-16 and 23 is/are allowed.
- 6) ☒ Claim(s) 1 and 4-7 is/are rejected.
- 7) ☒ Claim(s) 2, 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the appeal brief filed on 5-13-2004, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below for claims 1 and 4-7. Claims 8-16 and 23 have been allowed in view of the points and arguments made in the appeal brief, and claims 2-3 have been objected as containing allowable subject matter.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 4 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Okamoto (US Patent 5,176,869).

Okamoto discloses an apparatus for applying powder to at least an interior surface of a hollow object, the apparatus comprising: a powder discharge device (Figure 6, item 30b) adapted to receive powder and discharge the powder (see column 4, lines 25-34, which disclose that silicon sand stone powder is one of the constituent elements of the discharge material) through an outlet; an object holder (items 2 and supporting structure - see Figure 2) configured to hold said object such that said outlet is positioned within the hollow object adjacent the interior surface; and a rotating mechanism (item 21, see Figure 2) configured to engage and rotate the hollow object about an axis of rotation such that powder discharging from the outlet coats the interior surface as the interior surface rotates past the outlet, wherein the outlet is oriented to discharge the powder in a direction transverse to the axis of rotation and normal to the outlet (as shown in Figure 6).

As to claim 4, Okamoto discloses that the includes an exterior surface and said object holder further comprises a pair of rollers configured to engage generally opposite sides of the exterior surface, and said rotating mechanism further comprises a motor (item 21 - see column 3, lines 10-14) coupled to at least one of said rollers (as shown in figure 2).

As to claim 7, Okamoto discloses a transfer mechanism (carrier mechanism 3 - see column 3, lines 14-16) coupled to the powder discharge device and operative to transfer the powder discharge device from a position outside the hollow object to a position within the hollow object.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto (US Patent 5,176,869) as applied to claim 1, and further in view of Furter (US Patent 4,098,226).

Okamoto as applied to claim 1 discloses an apparatus for applying powder to at least an interior surface of a hollow object, the apparatus comprising: a powder discharge device (Figure 6, item 30b) adapted to receive powder and discharge the powder (see column 4, lines 25-34, which disclose that silicon sand stone powder is one of the constituent elements of the discharge material) through an outlet; an object holder (items 2 and supporting structure - see Figure 2) configured to hold said object such that said outlet is positioned within the hollow object adjacent the interior surface; and a rotating mechanism (item 21, see Figure 2) configured to engage and rotate the hollow object about an axis of rotation such that powder discharging from the outlet coats the interior surface as the interior surface rotates past the outlet, wherein the outlet is oriented to discharge the powder in a direction transverse to the axis of rotation and normal to the outlet (as shown in Figure 6).

Okamoto as applied to claim 1 does not disclose that the outlet further comprises an elongate slot configured to extend parallel to the axis of rotation, or

that the powder discharge device includes a chamber and the elongate slot is formed between converging walls of the chamber.

Further discloses that the outlet further comprises an elongate slot (see Figure 3 or Figure 5) configured to extend parallel to the axis of rotation, and that the discharge device includes a chamber and the elongate slot is formed between converging walls (best seen in the embodiment of Figures 5, 6 and 7) of the chamber. One in the art would appreciate that such nozzle shape would allow for spreading of the coating material faster over a larger portion of the substrate. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized such a nozzle shape in order to achieve faster coating.

Allowable Subject Matter

6. Claims 8-16 and 23 are allowed.
7. The following is an examiner's statement of reasons for allowance: See applicants appeal brief filed on 5-13-2004, especially pages 11-18. Applicant successfully argues that there is no motivation to combine the teachings of Inamura, Fogal, Gillette, Goodridge and Bertelloti. Furthermore, even if the newly presented Okamoto reference were used in place of Inamura and Fogal, there would be no motivation to combine with Okamoto with Gillette, Goodridge and Bertelloti. Specifically, there is no motivation to include the specifics (such as the powder fluidizing beds and powder collection units/areas) of either the Gillette coating system or Bertelloti coating systems within the overall teachings of

Okamoto (or Inamura and Fogal), such as the powder discharge device, object holder, and rotating mechanism. Okamoto discloses a powder discharge unit, but achieves the powder discharge by mixing with resins. Okamoto could dispense powder alone, if the resin was not used. However, no motivation exists to incorporate a completely different coating mechanism for the coating system of Okamoto.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Claims 2 and 3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: See applicants appeal brief filed on 5-13-2004, especially pages 11-18. Applicant successfully argues that there is no motivation to combine the teachings of Inamura, Fogal, Gillete, Goodridge and Bertelloti. Furthermore, even if the newly presented Okamoto reference were used in place of Inamura and Fogal, there would be no motivation to combine with Okamoto with Gillette, Goodridge and Bertelloti. Specifically, there is no motivation to include the specifics (such as the powder fluidizing beds) of either the Gillette coating system or Bertelloti coating systems within the overall teachings of Okamoto (or Inamura

and Fogal), such as the powder discharge device, object holder, and rotating mechanism. Okamoto discloses a powder discharge unit, but achieves the powder discharge by mixing with resins. Okamoto could dispense powder alone, if the resin was not used. However, no motivation exists to incorporate a completely different coating mechanism for the coating system of Okamoto.

Response to Arguments

10. Applicant's arguments with respect to claims 1 and 4-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. The previous final rejection has been withdrawn and a new final rejection has been made.

12. Applicant's amendment (from 10/10/2003 in response to the office action mailed 7/18/2003) necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory

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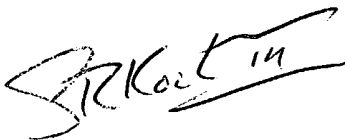
action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (571) 272-1230 (TDD only). If the applicant cannot make a direct TDD-to-TDD call, the applicant can communicate by calling the Federal Relay Service at 1-800-877-8339 and giving the operator the above TDD number. The examiner can normally be reached on M-Th 10-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



GRK
July 19th, 2004

George R. Koch III
Patent Examiner
Art Unit 1734



STEVEN P. GRIFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700